

REMARKS

Favorable reconsideration of this application is respectfully requested.

Initially, applicants note that a replacement sheet for Figure 21 is submitted with the present response in which Figure 21 is now labeled as "Background Art" to address the objection thereto.

Claims 1-48 are pending in this application. Claim 1 is amended and Claims 44-48 are added herein. Claims 1 and 6 were rejected under 35 U.S.C. § 102(b) as anticipated by JP 11-65208 to Sato et al. (herein "Sato"). Claims 2-5 and 7 were objected to as dependent upon a rejected base claim, but were noted as allowable if rewritten in independent form to include all of the limitations of their base claims and any intervening claims. Claims 8-43 were allowed over the prior art of record.

Initially, applicants gratefully acknowledge the early indication of the allowance and allowable subject matter of Claims 2-5 and 7-43.

With respect to the indication of allowable subject matter in original Claims 2-5 and 7, the subject matter of those claims is now set forth in new independent Claims 44-48. More specifically, new independent Claims 44-48 correspond to original dependent Claims 2-5 and 7 rewritten in independent form, respectively. Thus, new Claims 44-48 are believed to be allowable as they recite subject matter already indicated as allowable in the outstanding Office Action.

Addressing now the rejection of Claims 1 and 6 under 35 U.S.C. § 102(b) as anticipated by Sato, that rejection is traversed by the present response.

Claim 1 is amended by the present response to clarify a feature recited therein. Specifically, Claim 1 now recites "each of said predetermined number of mark sets being formed within an area of one tenth of a circumferential length of said transferring member". That subject matter is supported by the original specification, for example at page 17, lines

13-14. Such a feature is believed to distinguish over Sato as Sato does not appear to disclose or suggest utilizing such a area in which the mark sets are formed. Thus, amended independent Claim 1, and the claims dependent therefrom, are believed to distinguish over the applied art to Sato.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

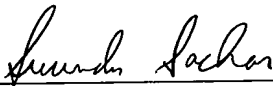
Respectfully submitted,

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